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3 District of Nevada  
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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 KEVIN FIGGERS,

13 Defendant.

Case No.: 2:20-mj-00302-DJA

14 **ORDER TO CONTINUE**  
15 **PRELIMINARY HEARING**  
(Seventh Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,  
17 Acting United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel  
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha  
19 Brooks-Whittington, Assistant Federal Public Defender, counsel for Kevin Figgers, that the  
Preliminary Hearing currently scheduled on June 7, 2021 at 4:00 p.m., be vacated and continued  
to a date and time convenient for the Court, but no earlier than sixty (60) days.

20 The Stipulation is entered into for the following reasons:

21 1. The parties are involved in discussions and may possibly negotiate this case which  
22 may obviate the needs for a preliminary hearing.

23 2. The defendant is incarcerated and does not object to the continuance.

24 3. The parties agree to the continuance.

1       4. The additional time requested by this stipulation is excludable in computing the  
2 time within which the indictment must be filed pursuant to the Speedy Trial Act, Title 18, United  
3 States Code, Section 3161(b), considering the factors under Title 18, United States Code, Section  
4 3161(h)(7)(A) and (B)(i) and (iv). The additional time requested by this stipulation also is  
5 excludable in computing the 90-day speedy trial clock imposed by the Speedy Trial Act, Title 18,  
6 United States Code, Section 3161(c), considering the factors under Title 18, United States Code,  
7 Section 3161(h)(7)(A) and (B)(i) and (iv).

8       5. This continuance is not sought for purposes of delay, but to account for the Court's  
9 limited resources and so that the parties can reach a negotiated resolution.

10      6. Denial of this request could result in a miscarriage of justice, and the ends of justice  
11 served by granting this request outweigh the best interest of the public and the defendant in a  
12 speedy trial.

13           This is the seventh stipulation to continue filed herein.

14           DATED: This 4<sup>th</sup> day of June, 2021.

15      RENE L. VALLADARES  
16      Federal Public Defender

17      By \_\_\_\_\_  
18      NISHA BROOKS-WHITTINGTON  
19      Assistant Federal Public Defender

20      CHRISTOPHER CHIOU  
21      Acting United States Attorney

22      By \_\_\_\_\_  
23      MELANEE SMITH  
24      Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

KEVIN FIGGERS,

Defendant.

Case No.: 2:20-mj-00302-DJA

## ORDER

IT IS ORDERED that the Preliminary hearing currently scheduled for Monday, June 7, at 4:00 p.m., be vacated and continued to August 16, 2021, at 4:00 p.m., Courtroom 3A.

DATED this \_\_\_\_ day of June 2021.

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HONORABLE DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE